

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 25449 of 2001

Between:

1. M/s.Venkateswara Talkies, Epuru, Hanuman Junction, West Godavari District rep. by its Proprietor, M.V.Rao.
2. M/s.Sri Satyanarayana Talkies, Bhimavaram rep. by its Managing Partner, T.Sri Rama Rao.
3. M/s.Nataraj Theatre, Bhimavaram, rep. by its Managing Partner, K.Govind Rao.

..... PETITIONER(S)

AND

1. The Films Division, Ministry of Information and Broadcasting, Govt. of India, rep. by its Branch Manager, Gandhinagar, Vijayawada.
2. The Joint Collector, West Godavari at Eluru.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus declaring that condition No.41 and 42 of Form B licence of the

Petitioner is illegal, null and void and unconstitutional and that the 2nd respondent cannot insist for production of no objection certificate for the purpose of renewal of B form licence under A.P. cinema (Regulation) Rules, 1970 and further declare that the 1st respondent is not entitled to demand and collect the weekly rentals from November, 1995 onwards by coercive methods of seeking for cancellation of licence by the 2nd respondent.

Counsel for the Petitioners: MR.K.DURGA PRASAD

Counsel for the Respondent No.1: None appeared.

Counsel for the Respondent No.2: GP FOR Revenue

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

This petition is admittedly covered by the decision of this court in W.P.No.6578 of 2001 and W.A.No.298 of 2001 decided on 21st August, 2001 holding that such disputes as raised herein have to be determined in an appropriate

forum and not in writ proceedings. Since similar writ petitions were disposed of with directions as given in the aforementioned judgment dated 21st August, 2001, we also dispose of this writ petition in terms of the aforementioned judgment.

DEVINDER GUPTA, CJ

23-12-2004

B.SESHASAYANA REDDY, J

Tvr

To

1. The Branch Manager, The Films Division, Ministry of Information and Broadcasting, Govt. of India, Gandhinagar, Vijayawada.
2. The Joint Collector, West Godavari at Eluru.
3. 2 CCs to the Govt. Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

